

THURSDAY, MARCH 28, 2019

TWENTY-SECOND LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Casada.

The proceedings were opened with prayer by Gordon Borck, Christ Church Fellowship, Carthage, TN.

Representative Weaver led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 90

Representatives present were Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Wright, Zachary, Mr. Speaker Casada -- 90

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Curcio; business

Representative Garrett; personal

Representative Lamar; business

Representative Sherrell; business

Representative Smith; business

Representative Vaughan; personal

Representative Windle; military deployment

Representative Williams; business

Representative Keisling; business

955

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**COMMUNICATION
March 20, 2019**

FOR OFFICIAL USE ONLY - PRIVACY ACT

DEPARTMENT OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS, TENNESSEE NATIONAL GUARD
HOUSTON BARRACKS, P. O. BOX 41502
NASHVILLE, TENNESSEE 37204-1502

ORDERS 079-001

20 March 2019

WINDLE JOHN M [REDACTED] COL
HOME ADDRESS: PO BOX 707, LIVINGSTON, TN 38570
UNIT INFO/ADDRESS: TNARNG ELEMENT JF HQS
(8A9AA-100) PO BOX 41502 NASHVILLE TN 37204

By order of the Secretary of the Army, you are hereby ordered to active duty for training (ADT) for the period indicated. Upon completion of the period of ADT, unless sooner relieved or extended by proper authority, you will return to the place where you entered on ADT and are relieved from such duty.

Period (TDY) : 26 March 2019 - 31 March 2019

Report to: Warsaw, Poland

Reporting time/date: 27 March 2019

Purpose: Command Troop Visit

Additional instructions:

(a) This is a PAY ORDER ONLY. Travel Authorization and Voucher must be completed in the Defense Travel System (DTS). DTS voucher must be filed in DTS within 5 days after completion of TDY. Do NOT file a manual (paper) DDF 1351-2 travel voucher unless instructed to do so (PCS).

(b) Signature certifies duty was performed as directed unless otherwise indicated (/s/ Warrant Officer Matthew Lentz).

(c) Government meals are not available or directed.

(d) Government quarters are not available or directed.

(e) Travel be commercial transportation or POC is authorized. Mileage reimbursement and per diem limited to constructive cost of common carrier transportation and travel time. Commercial airline ticket will be furnished by Carlson Wagonlit Travel.

(f) Uniform Code of Military Justice (UCMJ) : All soldiers traveling CONUS/OCONUS are subject to UCMJ jurisdiction. (Title 10, USC)

(g) Variation in itinerary is authorized.

(h) AntiTerrorism Force Protection Level 1 Awareness Training received on 13 March 19.

(i) Subject to availability of FY19 funds.

FOR ARMY USE

Auth: TITLE 10, USC, SECTION 12301D NGB TOUR OR ODT

HOR: PO BOX 707

APC DJMS-RC: E9F102 TDC 102 Unit AT OCONUS

**THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

APC STANFINS Pay: F102 APC STANFINS Travel: F102
Act clas:
Off pay/alw: 2192060 18-1040 P1A11.0200-1198/1199/1210/1250 S40098 1A0 8A9AA
Off tvl/pd: 2192060 18-1040 P1A11.0200-21T2
SRN: WIN18540790010 JON/CCC: F10244/44F102 Cost Estimate: \$ 2,698
PEBD: 951010
Federal WE: S00
State tax code: TN
Marital status / Number of dependents: S00

FOR OFFICIAL USE ONLY - PRIVACY ACT

**COMMUNICATION
March 26, 2019**

Dear Speaker Casada:

I would like to appoint Rep. Bo Mitchell as the House Minority Leader designee for the Joint Government Operations Committee meetings including Joint Government Operations Rule Review meetings.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

/s/ Leader Karen Camper

CC: Rep. Martin Daniel
Rep. Bo Mitchell

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 140 Rep. Daniel as prime sponsor.

House Joint Resolution No. 219 Rep. Carr as prime sponsor.

House Bill No. 73 Rep. Hazlewood as prime sponsor.

House Bill No. 164 Rep. Ramsey as prime sponsor.

House Bill No. 203 Reps. Ragan, Hardaway, Hazlewood and Whitson as prime sponsors.

House Bill No. 252 Rep. Beck as prime sponsor.

House Bill No. 266 Reps. Love, Powell, Clemmons and Hardaway as prime sponsors.

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 268 Reps. Hardaway, Towns, Potts, Weaver and Daniel as prime sponsors.

House Bill No. 327 Rep. Hall as prime sponsor.

House Bill No. 340 Rep. Haston as prime sponsor.

House Bill No. 365 Rep. Carter as prime sponsor.

House Bill No. 409 Rep. Smith as prime sponsor.

House Bill No. 498 Reps. Sparks and Miller as prime sponsors.

House Bill No. 565 Rep. Griffey as prime sponsor.

House Bill No. 569 Rep. Hazlewood as prime sponsor.

House Bill No. 573 Rep. Terry as First prime sponsor.

House Bill No. 622 Rep. Griffey as prime sponsor.

House Bill No. 646 Rep. Weaver as First prime sponsor.

House Bill No. 650 Rep. Hicks as First prime sponsor.

House Bill No. 673 Reps. T. Hill and Bricken as prime sponsors.

House Bill No. 674 Reps. Rudder, Lafferty, Faison and Eldridge as prime sponsors.

House Bill No. 676 Rep. Lamberth as prime sponsor.

House Bill No. 705 Reps. Sherrell, Griffey and Doggett as prime sponsors.

House Bill No. 707 Reps. Windle, Shaw, Faison and Ramsey as prime sponsors.

House Bill No. 754 Reps. Griffey, Sherrell and Curcio as prime sponsors.

House Bill No. 786 Rep. Dixie as prime sponsor.

House Bill No. 817 Reps. Calfee, Travis and G. Johnson as prime sponsors.

House Bill No. 838 Reps. Moon, Hazlewood, Terry, Hardaway, Ogles, Hurt, White and Littleton as prime sponsors.

House Bill No. 839 Rep. Hardaway as prime sponsor.

House Bill No. 843 Reps. Ragan, Ogles and Hazlewood as prime sponsors.

House Bill No. 873 Reps. Parkinson and Faison as prime sponsors.

House Bill No. 909 Rep. Whitson as prime sponsor.

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 917 Reps. Curcio, Sherrell, Eldridge, Garrett and Griffey as prime sponsors.

House Bill No. 926 Reps. Griffey and Sherrell as prime sponsors.

House Bill No. 950 Rep. Griffey as prime sponsor.

House Bill No. 978 Rep. Shaw as prime sponsor.

House Bill No. 983 Rep. Todd as prime sponsor.

House Bill No. 1029 Reps. Reedy, Ragan, Byrd, Kumar, Lamberth and Tillis prime sponsors.

House Bill No. 1033 Rep. Hardaway as prime sponsor.

House Bill No. 1162 Rep. Farmer as prime sponsor.

House Bill No. 1279 Reps. Daniel and Wright as prime sponsors.

House Bill No. 1293 Rep. Faison as First prime sponsor.

House Bill No. 1304 Rep. Jernigan as prime sponsor.

House Bill No. 1363 Rep. Powell as prime sponsor.

House Bill No. 1364 Rep. Russell as prime sponsor.

House Bill No. 1400 Reps. Littleton, Curcio, Farmer, Griffey, Hulse, Doggett and Sherrell as prime sponsors.

House Bill No. 1413 Reps. Coley and Calfee as prime sponsors.

House Bill No. 1455 Rep. Lynn as prime sponsor.

House Bill No. 1462 Rep. Smith as prime sponsor.

House Bill No. 1463 Rep. Griffey as prime sponsor.

House Bill No. 1493 Rep. DeBerry as prime sponsor.

SPONSORS REMOVED

On Motion, Rep. Lafferty was removed as sponsor of **House Joint Resolution No. 140**.

On Motion, Rep. Powell was removed as sponsor of **House Bill No. 271**.

On Motion, Rep. Hawk was removed as sponsor of **House Bill No. 650**.

**THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

On Motion, Rep. White was removed as sponsor of **House Bill No. 983**.

**ENROLLED BILLS
March 26, 2019**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 54 and 65; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
March 26, 2019**

The Speaker announced that he had signed the following: House Resolutions Nos. 54 and 65.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 26, 2019**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 199, 200, 201 and 271; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
March 26, 2019**

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 199, 200, 201 and 271.

TAMMY LETZLER, Chief Clerk

**MESSAGE FROM THE SENATE
March 26, 2019**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 260, 261, 262, 263, 264, 265, 266, 269, 271 and 272; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

960

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

March 26, 2019

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 192, 757 and 1292; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
March 26, 2019

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 310, 311, 312, 313, 314 and 315; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
March 26, 2019

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 120, 121, 141, 172, 210, 226, 263, 384, 511, 577, 680, 923, 1238, 1313, 1336, 1398 and 1468; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 120** -- Sunset Laws - As introduced, extends the board of boiler rules to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 122. by *Roberts. (HB452 by *Daniel)

***Senate Bill No. 121** -- Sunset Laws - As introduced, extends the elevator and amusement device safety board to June 20, 2023. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 121. by *Roberts. (HB453 by *Daniel)

***Senate Bill No. 141** -- Sunset Laws - As introduced, extends the private probation services council to June 30, 2021. - Amends TCA Title 4, Chapter 29 and Title 16, Chapter 3, Part 9. by *Roberts. (HB473 by *Daniel)

***Senate Bill No. 172** -- Secretary of State - As introduced, clarifies only a natural person or individual may participate in fantasy sports contests offered by fantasy sports operators. - Amends TCA Section 47-18-1602. by *Swann. (HB495 by *Halford, *Hurt)

Senate Bill No. 210 -- Cooperatives - As introduced, increases the amount of time members of a cooperative have to return ballots to elect directors of the cooperative by mail from three to five business days. - Amends TCA Title 65, Chapter 25. by *Haile, *Bowling. (*HB172 by *Marsh, *Carter, *Whitson)

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Bill No. 226 -- Children - As introduced, creates an exception to the presumption of parentage if a man is physically separated from his wife in a way that prevents physical contact for more than 300 consecutive days immediately preceding the birth of the child, or if it is a medical impossibility that the man could father the child. - Amends TCA Title 24, Chapter 7; Title 36, Chapter 2 and Title 68, Chapter 3. by *Lundberg. (*HB61 by *Jernigan)

Senate Bill No. 263 -- Real Property - As introduced, clarifies that a contract transferring a time-share is voidable by the purchaser for 10 days from the date of the signing of the contract, not 15 days, if the purchaser made an on-site inspection of a component site of the time-share project. - Amends TCA Section 66-32-114. by *Niceley. (*HB230 by *Crawford)

Senate Bill No. 384 -- Licenses - As introduced, exempts members of the armed forces stationed within this state and their spouses from licensure requirements to practice professions and occupations regulated by the department of commerce and insurance and the department of health, subject to meeting certain requirements to practice. - Amends TCA Title 4, Chapter 3, Part 13; Title 62; Title 63 and Title 68, Chapter 1, Part 1. by *Lundberg, *Bowling. (*HB304 by *Bricken, *Johnson C, *Hill T)

***Senate Bill No. 511** -- Boards and Commissions - As introduced, requires the board of chiropractic examiners to post the names of X-ray operators who hold a current certificate of proficiency on the board's website. - Amends TCA Title 4, Chapter 29 and Title 63. by *Roberts. (HB724 by *Rudder, *Daniel)

Senate Bill No. 577 -- Expunction - As introduced, permits an eligible petitioner to have multiple, nonviolent convictions for offenses that resulted from the petitioner's status as a victim of human trafficking expunged if the expunction is in the best interest of justice and public safety. - Amends TCA Title 39 and Title 40, Chapter 32. by *Gardenhire, *Robinson, *White, *Bowling, *Briggs, *Massey, *Stevens. (*HB193 by *Carter, *Helton, *Smith, *Hazlewood, *Hakeem, *Lafferty)

***Senate Bill No. 680** -- Bail, Bail Bonds - As introduced, permits the clerk of court to send notice of forfeiture of bail security to a defendant by regular mail, rather than certified mail with restricted delivery and return receipt requested. - Amends TCA Section 40-11-139. by *Gardenhire. (HB833 by *Helton)

Senate Bill No. 923 -- Solid Waste Disposal - As introduced, excludes gasification and pyrolysis from the definition of "solid waste processing" for purposes of the Tennessee Solid Waste Disposal Act. - Amends TCA Title 68, Chapter 211. by *Southerland. (*HB219 by *Hulsey)

Senate Bill No. 1238 -- Local Education Agencies - As introduced, authorizes LEAs to establish a threat assessment team for the purpose of developing comprehensive, intervention-based approaches to prevent violence, manage reports of potential threats, and create a system that fosters a safe, supportive, and effective school environment. - Amends TCA Title 49. by *Gresham. (*HB1158 by *Ogles)

Senate Bill No. 1313 -- Criminal Procedure - As introduced, extends the date, from January 1, 2020, to February 1, 2020, before which the Tennessee advisory commission on intergovernmental relations must submit a report on its study of global positioning monitoring as

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

a condition of bail to the speakers and chairs of the judiciary committees of the senate and the house of representatives. - Amends TCA Section 39-13-111; Title 40, Chapter 11 and Chapter 827 of the Public Acts of 2018. by *Kyle. (*HB1479 by *Hardaway, *Carter)

Senate Bill No. 1336 -- Contractors - As introduced, requires contractors licensed after January 1, 2009, to complete eight hours of continuing education biennially beginning January 1, 2020; allows contractor to count current membership in a board-approved professional trade association as four hours of credit biennially. - Amends TCA Title 4, Chapter 5 and Title 62, Chapter 6. by *Southerland. (*HB1064 by *Vaughan)

Senate Bill No. 1398 -- Local Education Agencies - As introduced, decreases the amount of time a change in the designated person to check a school bus utilized for transportation of children with disabilities must be reported to an LEA from 10 days to seven days. - Amends TCA Title 49. by *Bell. (*HB1374 by *Sexton J)

Senate Bill No. 1468 -- Health, Dept. of - As introduced, requires the department to seek a federal grant from the federal department of health and human services' health resources and services administration, or any other applicable entity, to develop a training program for certified nurse practitioners in treating and processing a minor who is a victim of certain sexual offenses; requires the training program to be free of charge for participants. - Amends TCA Title 4; Title 38; Title 39; Title 63 and Title 68. by *Bailey, *Robinson, *Bowling, *White. (*HB1315 by *Windle)

**MESSAGE FROM THE SENATE
March 26, 2019**

MR. SPEAKER: I am directed to return to the House, House Bill No. 447; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
March 26, 2019**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 74, 187, 272, 634, 699, 856, 925, 963, 1021, 1078 and 1501; House Joint Resolutions Nos. 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360 and 364.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
March 27, 2019**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 192, 757 and 1292; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
March 27, 2019**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 310, 311, 312, 313, 314 and 315; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
March 27, 2019**

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 310, 311, 312, 313, 314 and 315.

GREG GLASS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
March 27, 2019**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 260, 261, 262, 263, 264, 265, 266, 269, 271 and 272; for his action.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 27, 2019**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 310, 311, 312, 313, 314 and 315; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 27, 2019**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 76, 234, 242, 313, 335, 402, 497, 788, 807 and 1227; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 27, 2019**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 58, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321 and 322; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
March 27, 2019**

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 58, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321 and 322.

TAMMY LETZLER, Chief Clerk

**SIGNED
March 27, 2019**

The Speaker announced that he had signed the following: Senate Bills Nos. 76, 234, 242, 313, 335, 402, 497, 788, 807 and 1227.

TAMMY LETZLER, Chief Clerk

**MESSAGE FROM THE SENATE
March 27, 2019**

MR SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 159, was read for the first time on Monday, March 18th, it was read for the second time on Thursday, March 21st and the third reading was on Monday, March 25th. Senate Joint Resolution No. 159 was adopted by a majority vote of the Senate of the One Hundred Eleventh General Assembly of the State of Tennessee, pursuant to Article XI, Section 3 of the Constitution of Tennessee

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 28, 2019**

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341 and 342; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 327** -- Memorials, Sports - Monica Boles. by *Yager.

***Senate Joint Resolution No. 328** -- Memorials, Recognition - Jarnagin Motor Company. by *Niceley, *Southerland.

***Senate Joint Resolution No. 329** -- Memorials, Death - Staff Sergeant Alexander Scott Lawson, U.S. Army. by *Yager.

***Senate Joint Resolution No. 330** -- Memorials, Death - Assistant Chief Tim "Buck" Buchanan. by *Roberts.

***Senate Joint Resolution No. 331** -- Memorials, Sports - Bearden High School boys' basketball team, TSSAA Division I Class AAA State Championship. by *Massey, *Briggs, *McNally.

***Senate Joint Resolution No. 332** -- Memorials, Recognition - Gilbert Graves, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 333** -- Memorials, Recognition - Billy Joe and Jean Allison, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 334** -- Memorials, Recognition - Sam E. "Sammie" Forbes, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 335** -- Memorials, Recognition - Terry Thomas Thompson, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 336** -- Memorials, Retirement - Doug Markham. by *Dickerson.

***Senate Joint Resolution No. 337** -- Memorials, Retirement - H. Dale Hall. by *Rose, *McNally.

***Senate Joint Resolution No. 338** -- Memorials, Public Service - Senator Mark Norris. by *Rose.

***Senate Joint Resolution No. 339** -- Memorials, Death - Ennis Jefferson "E.J." Hurdle, Jr. by *Gresham.

***Senate Joint Resolution No. 340** -- Memorials, Death - Alfred Williams. by *McNally.

***Senate Joint Resolution No. 341** -- Memorials, Death - Captain Rosemary Mariner. by *McNally.

**THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 342** -- Memorials, Personal Achievement - Cooper Joseph Long, Eagle Scout. by *Haile.

WELCOMING AND HONORING

RECOGNITION IN THE WELL

Representative Halford was recognized in the Well to introduce Donna Ulisse, 2016 Blue Grass Song Writer of the Year, who sang "Back Home Feelin' Again" and "Day Without Trouble."

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 1, 2019:

House Resolution No. 67 -- Memorials, Interns - Zachary Douglas Stephens. by *Halford.

House Resolution No. 68 -- Memorials, Retirement - Harrison D. McIver III. by *Miller.

House Resolution No. 69 -- Memorials, Interns - Amanda King. by *Zachary.

House Resolution No. 70 -- Memorials, Interns - Frank Burnette. by *Zachary.

***House Joint Resolution No. 378** -- Memorials, Academic Achievement - Rachel Hostetler, Valedictorian, Rhea County Academy. by *Travis.

***House Joint Resolution No. 379** -- Memorials, Academic Achievement - Jared Beaulieu, Valedictorian, Rhea County Academy. by *Travis.

***House Joint Resolution No. 380** -- Memorials, Academic Achievement - Amanda Hicks, Valedictorian, Sequatchie County High School. by *Travis.

***House Joint Resolution No. 381** -- Memorials, Academic Achievement - Madison Stagnaro, Salutatorian, Sequatchie County High School. by *Travis.

***House Joint Resolution No. 382** -- Memorials, Personal Occasion - Marjorie Jean Yaeger, 90th birthday. by *Moon.

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

***House Joint Resolution No. 383** -- Memorials, Recognition - Cystic Fibrosis Awareness Month, May 2019. by *Sexton C.

***House Joint Resolution No. 384** -- Memorials, Death - Charlie Newton. by *Hicks.

***House Joint Resolution No. 385** -- Memorials, Recognition - Jaynee K. Day and Second Harvest Food Bank of Middle Tennessee. by *Love.

***House Joint Resolution No. 386** -- Memorials, Recognition - Mountain Hope Good Shepherd Clinic, Inc., 20th anniversary. by *Farmer.

***House Joint Resolution No. 387** -- Memorials, Interns - Lysie York. by *Boyd.

***House Joint Resolution No. 388** -- Memorials, Professional Achievement - Cicely Woodard, Horace Mann Award for Teaching Excellence. by *Whitson.

***House Joint Resolution No. 389** -- Memorials, Interns - Justin Clark. by *Towns.

***House Joint Resolution No. 390** -- Memorials, Retirement - Mitch Wilson. by *Boyd.

***House Joint Resolution No. 391** -- Memorials, Interns - Cayce Daniel. by *Curcio.

***House Joint Resolution No. 392** -- Memorials, Interns - Shahil Patel. by *Curcio.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 1, 2019:

***Senate Joint Resolution No. 327** -- Memorials, Sports - Monica Boles. by *Yager.

***Senate Joint Resolution No. 328** -- Memorials, Recognition - Jarnagin Motor Company. by *Niceley, *Southerland.

***Senate Joint Resolution No. 329** -- Memorials, Death - Staff Sergeant Alexander Scott Lawson, U.S. Army. by *Yager.

***Senate Joint Resolution No. 330** -- Memorials, Death - Assistant Chief Tim "Buck" Buchanan. by *Roberts.

***Senate Joint Resolution No. 331** -- Memorials, Sports - Bearden High School boys' basketball team, TSSAA Division I Class AAA State Championship. by *Massey, *Briggs, *McNally.

***Senate Joint Resolution No. 332** -- Memorials, Recognition - Gilbert Graves, Wilson County Agricultural Hall of Fame. by *Pody.

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Joint Resolution No. 333** -- Memorials, Recognition - Billy Joe and Jean Allison, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 334** -- Memorials, Recognition - Sam E. "Sammie" Forbes, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 335** -- Memorials, Recognition - Terry Thomas Thompson, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 336** -- Memorials, Retirement - Doug Markham. by *Dickerson.

***Senate Joint Resolution No. 337** -- Memorials, Retirement - H. Dale Hall. by *Rose, *McNally.

***Senate Joint Resolution No. 338** -- Memorials, Public Service - Senator Mark Norris. by *Rose.

***Senate Joint Resolution No. 339** -- Memorials, Death - Ennis Jefferson "E.J." Hurdle, Jr. by *Gresham.

***Senate Joint Resolution No. 340** -- Memorials, Death - Alfred Williams. by *McNally.

***Senate Joint Resolution No. 341** -- Memorials, Death - Captain Rosemary Mariner. by *McNally.

***Senate Joint Resolution No. 342** -- Memorials, Personal Achievement - Cooper Joseph Long, Eagle Scout. by *Haile.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 1520** -- Robertson County - Subject to local approval, increases from \$250 to \$500 the monthly compensation of the Robertson County highway commissioners and chairman of the commission. - Amends Chapter 380 of the Private Acts of 1947; as amended. by *Kumar.

House Bill No. 1521 -- McLemoresville - Subject to local approval, deletes antiquated provisions related to poll taxes; codifies current practice of city regarding election timing and terms; adds grounds for removal from office for board of mayor and aldermen; authorizes the hiring of a city recorder; removes cap on fines that may be imposed for a violation of ordinances, on property tax, and business tax. - Amends Chapter 507 of the Private Acts of 1949; as amended. by *Holt.

House Bill No. 1522 -- Kenton - Subject to local approval, authorizes the salaries of mayor and aldermen to be set by ordinance; reduces, from three to two, the number of readings required for adoption of ordinances; deletes position of commissioners as heads of city

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

departments; deletes provisions regarding bail and fines and costs; removes provision authorizing the re-appropriation of funds between departments. - Amends Chapter 87 of the Private Acts of 1981; as amended. by *Sanderson.

***House Bill No. 1523** -- Cannon County - Subject to local approval, exempts nonprofit campgrounds that include a portion of the hotel camp fee for housing from the county's hotel motel tax. - Amends Chapter 23 of the Private Acts of 2013. by *Boyd.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 120** -- Sunset Laws - As introduced, extends the board of boiler rules to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 122. by *Roberts. (HB452 by *Daniel)

***Senate Bill No. 121** -- Sunset Laws - As introduced, extends the elevator and amusement device safety board to June 20, 2023. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 121. by *Roberts. (HB453 by *Daniel)

***Senate Bill No. 141** -- Sunset Laws - As introduced, extends the private probation services council to June 30, 2021. - Amends TCA Title 4, Chapter 29 and Title 16, Chapter 3, Part 9. by *Roberts. (HB473 by *Daniel)

***Senate Bill No. 172** -- Secretary of State - As introduced, clarifies only a natural person or individual may participate in fantasy sports contests offered by fantasy sports operators. - Amends TCA Section 47-18-1602. by *Swann. (HB495 by *Halford, *Hurt)

Senate Bill No. 210 -- Cooperatives - As introduced, increases the amount of time members of a cooperative have to return ballots to elect directors of the cooperative by mail from three to five business days. - Amends TCA Title 65, Chapter 25. by *Haile, *Bowling. (*HB172 by *Marsh, *Carter, *Whitson)

Senate Bill No. 226 -- Children - As introduced, creates an exception to the presumption of parentage if a man is physically separated from his wife in a way that prevents physical contact for more than 300 consecutive days immediately preceding the birth of the child, or if it is a medical impossibility that the man could father the child. - Amends TCA Title 24, Chapter 7; Title 36, Chapter 2 and Title 68, Chapter 3. by *Lundberg. (*HB61 by *Jernigan)

Senate Bill No. 263 -- Real Property - As introduced, clarifies that a contract transferring a time-share is voidable by the purchaser for 10 days from the date of the signing of the contract, not 15 days, if the purchaser made an on-site inspection of a component site of the time-share project. - Amends TCA Section 66-32-114. by *Niceley. (*HB230 by *Crawford)

Senate Bill No. 384 -- Licenses - As introduced, exempts members of the armed forces stationed within this state and their spouses from licensure requirements to practice professions and occupations regulated by the department of commerce and insurance and the department of health, subject to meeting certain requirements to practice. - Amends TCA Title 4, Chapter 3,

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Part 13; Title 62; Title 63 and Title 68, Chapter 1, Part 1. by *Lundberg, *Bowling. (*HB304 by *Bricken, *Johnson C, *Hill T)

***Senate Bill No. 511** -- Boards and Commissions - As introduced, requires the board of chiropractic examiners to post the names of X-ray operators who hold a current certificate of proficiency on the board's website. - Amends TCA Title 4, Chapter 29 and Title 63. by *Roberts. (HB724 by *Rudder, *Daniel)

Senate Bill No. 577 -- Expunction - As introduced, permits an eligible petitioner to have multiple, nonviolent convictions for offenses that resulted from the petitioner's status as a victim of human trafficking expunged if the expunction is in the best interest of justice and public safety. - Amends TCA Title 39 and Title 40, Chapter 32. by *Gardenhire, *Robinson, *White, *Bowling, *Briggs, *Massey, *Stevens. (*HB193 by *Carter, *Helton, *Smith, *Hazlewood, *Hakeem, *Lafferty)

***Senate Bill No. 680** -- Bail, Bail Bonds - As introduced, permits the clerk of court to send notice of forfeiture of bail security to a defendant by regular mail, rather than certified mail with restricted delivery and return receipt requested. - Amends TCA Section 40-11-139. by *Gardenhire. (HB833 by *Helton)

Senate Bill No. 923 -- Solid Waste Disposal - As introduced, excludes gasification and pyrolysis from the definition of "solid waste processing" for purposes of the Tennessee Solid Waste Disposal Act. - Amends TCA Title 68, Chapter 211. by *Southerland. (*HB219 by *Hulsey)

Senate Bill No. 1238 -- Local Education Agencies - As introduced, authorizes LEAs to establish a threat assessment team for the purpose of developing comprehensive, intervention-based approaches to prevent violence, manage reports of potential threats, and create a system that fosters a safe, supportive, and effective school environment. - Amends TCA Title 49. by *Gresham. (*HB1158 by *Ogles)

Senate Bill No. 1313 -- Criminal Procedure - As introduced, extends the date, from January 1, 2020, to February 1, 2020, before which the Tennessee advisory commission on intergovernmental relations must submit a report on its study of global positioning monitoring as a condition of bail to the speakers and chairs of the judiciary committees of the senate and the house of representatives. - Amends TCA Section 39-13-111; Title 40, Chapter 11 and Chapter 827 of the Public Acts of 2018. by *Kyle. (*HB1479 by *Hardaway, *Carter)

Senate Bill No. 1336 -- Contractors - As introduced, requires contractors licensed after January 1, 2009, to complete eight hours of continuing education biennially beginning January 1, 2020; allows contractor to count current membership in a board-approved professional trade association as four hours of credit biennially. - Amends TCA Title 4, Chapter 5 and Title 62, Chapter 6. by *Southerland. (*HB1064 by *Vaughan)

Senate Bill No. 1398 -- Local Education Agencies - As introduced, decreases the amount of time a change in the designated person to check a school bus utilized for transportation of children with disabilities must be reported to an LEA from 10 days to seven days. - Amends TCA Title 49. by *Bell. (*HB1374 by *Sexton J)

Senate Bill No. 1468 -- Health, Dept. of - As introduced, requires the department to seek a federal grant from the federal department of health and human services' health resources and services administration, or any other applicable entity, to develop a training program for certified nurse practitioners in treating and processing a minor who is a victim of certain sexual offenses; requires the training program to be free of charge for participants. - Amends TCA Title 4; Title 38; Title 39; Title 63 and Title 68. by *Bailey, *Robinson, *Bowling, *White. (*HB1315 by *Windle)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 1518** -- Decherd -- House Naming, Designating, & Private Acts Committee

House Bill No. 1519 -- McKenzie -- House Naming, Designating, & Private Acts Committee

CAPTION BILLS REFERRED March 26, 2019

Pursuant to **Rule No. 47**, the following Caption Bills 223, 339, 341, 394, 769, 862, 991, 1156, 1256, 1272, 1276, 1293, 1365 and 1410 held on the Clerk's desk were referred to the following Committees:

***House Bill No. 223** -- Public Records -- House State Committee

***House Bill No. 339** -- Health Care -- House Health Committee

***House Bill No. 341** -- Health Care -- House Health Committee

***House Bill No. 394** -- Sentencing -- House Judiciary Committee

***House Bill No. 769** -- Education -- House Education Committee

***House Bill No. 862** -- Forfeiture of Assets -- House Judiciary Committee

***House Bill No. 991** -- Taxes -- House Local Committee

**THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

- *House Bill No. 1156** -- Judicial Districts -- House Judiciary Committee
- *House Bill No. 1266** -- Conservation -- House Finance, Ways and Means Committee
- *House Bill No. 1272** -- Wine & Wineries -- House State Committee
- *House Bill No. 1276** -- Local Education Agencies -- House Education Committee
- *House Bill No. 1293** -- Controlled Substances -- House Health Committee
- *House Bill No. 1365** -- Tennessee Student Assistance Corporation -- House Education Committee
- *House Bill No. 1410** -- Taxes -- House Finance, Ways and Means Committee

**CAPTION BILLS REFERRED
March 27, 2019**

Pursuant to **Rule No. 47**, the following Caption Bills 152, 265, 509, 573, 654, 661, 678, 709, 760, 806, 919, 982, 983, 1011, 1100, 1132, 1165, 1279, 1392 held on the Clerk's desk were referred to the following Committees:

- *House Bill No. 152** -- Health Care -- House Health Committee
- *House Bill No. 265** -- TennCare -- House Insurance Committee
- *House Bill No. 509** -- Children's Services, Dept. of -- House Judiciary Committee
- *House Bill No. 573** -- Controlled Substances -- House Health Committee
- *House Bill No. 654** -- Education, Higher -- House Education Committee
- *House Bill No. 661** -- Marriage -- House State Committee
- *House Bill No. 678** -- Education -- House Education Committee
- *House Bill No. 709** -- Insurance, Health, Accident -- House Insurance Committee
- *House Bill No. 760** -- Orders of Protection -- House Judiciary Committee
- *House Bill No. 806** -- TennCare -- House Insurance Committee
- *House Bill No. 919** -- Health, Dept. of -- House Health Committee
- *House Bill No. 982** -- Education -- House Education Committee
- *House Bill No. 983** -- Education -- House Local Committee
- *House Bill No. 1011** -- Controlled Substances -- House Judiciary Committee

***House Bill No. 1100** -- Tennessee Higher Education Commission -- House Education Committee

***House Bill No. 1132** -- Public Records -- House State Committee

***House Bill No. 1165** -- Orders of Protection -- House Judiciary Committee

***House Bill No. 1279** -- Alcoholic Beverage Commission -- House State Committee

***House Bill No. 1392** -- Schools, Private -- House Education Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 26, 2019**, reported the following:

COMMERCE COMMITTEE

The Commerce Committee recommended for passage: House Bill No. 381, also House Bills Nos. 1190 and 602 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 605 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bills Nos. 261 and 353 with amendments.

FINANCE, WAYS, AND MEANS COMMITTEE

The Finance, Ways, and Means Committee recommended for passage: House Bills Nos. 167, 377, 1280, 937, 391, 731, 833, 82, 228 and 9, also House Bills Nos. 84 and 947 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

HEALTH COMMITTEE

The Health Committee recommended for passage: House Bills Nos. 97 and 1388, also House Bills Nos. 966, 1406, 1462, 656, 1135 and 711 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 296, also House Bill No. 159 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

The Committee also transmitted the following to the Government Operations Committee for review: House Bills Nos. 496 and 657 with amendments.

INSURANCE COMMITTEE

The Insurance Committee recommended for passage: House Bill No. 655. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 498 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

JUDICIARY COMMITTEE

The Judiciary Committee recommended for passage: House Bills Nos. 113 and 901, also House Bill No. 545 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

NAMING, DESIGNATING, AND PRIVATE ACTS COMMITTEE

The Naming, Designating, & Private Acts Committee recommended for passage: House Bills Nos. 1504, 1507, 1503 and Senate Joint Resolution No. 83. Under the rules, each was transmitted to the Calendar and Rules Committee.

STATE COMMITTEE

The State Committee recommended for passage: House Bill No. 1139 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 551 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

TRANSPORTATION COMMITTEE

The Transportation Committee recommended for passage: House Bills Nos. 533, 426 and 732, also House Bills Nos. 1142, 529, 221, 536, 1252, 1107, 923, 181 and 538 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 839, 164, 268, 262, 1169, 178, 179 and 182 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 27, 2019**, reported the following:

AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The Agriculture and Natural Resources Committee recommended for passage: House Bills Nos. 540, 250, 219 and 815 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 1468 and 1256 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

EDUCATION COMMITTEE

The Education Committee recommended for passage: House Bills Nos. 196, 946, 681, 115 and House Joint Resolutions Nos. 54, 55 and 56, also House Bills Nos. 736, 953 and 564 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 653 and 776, also House Bills Nos. 952 and 737 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 939 with amendments.

JUDICIARY COMMITTEE

The Judiciary Committee recommended for passage: House Bills Nos. 777, 1479 and 705, also House Bills Nos. 1151, 754, 926, 193 and 622 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 1400, also House Bills Nos. 565, 909, 917, 950 and 1340 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

LOCAL COMMITTEE

The Local Committee recommended for passage: House Bill No. 1423, also House Bills Nos. 396, 1089, 817 and 888 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 518, 1500, 1357 and 1312, also House Bills Nos. 620, 1347, 118, 327, 1269 and 907 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 28, 2019**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **April 1, 2019**: House Bills Nos. 1295, 594, 596, 1003, 833, 1245, 966, 673, 731, 84, 571, 404, 973, 283, 381, 259, 684, 934, 1107, 1406, 1142, 953, 149, 836 and 923.

The Calendar and Rules Committee also set the following bills on the **Regular Calendar** for **April 4, 2019**: House Bills Nos. 937, 947, 948, 901, 536, 1190, 711, 545, 377, 946, 213, 564, 241, 788, 655, 97, 181, 538, 228, 732, and 1139.

The Committee reports that it set the following bills and resolutions on the **Consent Calendar** for **April 1, 2019**: House Joint Resolution No. 219, Senate Joint Resolution No. 83, House Bills Nos. 1504, 337, 899 and 1507.

It further reports that it set the following bills and resolutions on the **Consent Calendar** for **April 4, 2019**: House Bills Nos. 426 and 230.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 185.

**DELAYED BILLS REFERRED
March 26, 2019**

Pursuant to **Rule No. 77**, Senate Joint Resolution No. 213 was referred to the Delayed Bills Committee.

Senate Joint Resolution No. 213 -- General Assembly, Directed Studies - Encourages the Department of Agriculture and representatives of vineyard owners and the retail wine industry in Tennessee to discuss the formation of a statewide wine trail. by *Yager.

**DELAYED BILLS REFERRED
March 28, 2019**

Pursuant to **Rule No. 77**, House Bill No. 1524 was referred to the Delayed Bills Committee.

House Bill No. 1524 -- Education, Higher - As introduced, extends a 25 percent discount on the tuition to any state institution of higher education to every child under 24 years of age whose parent died while employed as a full-time certified teacher in a public school in

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Tennessee or as a full-time technology coordinator in an LEA in Tennessee. - Amends TCA Title 8 and Title 49, Chapter 7. by *Moody.

CONSENT CALENDAR

House Resolution No. 66 -- Memorials, Interns - Wesley Banks. by *Miller.

***House Joint Resolution No. 365** -- Memorials, Academic Achievement - Caitlin Tallon, Governor's School for the Arts. by *Farmer.

***House Joint Resolution No. 366** -- Memorials, Professional Achievement - Dr. Chris Hampton, William J. and Lucille H. Field Award for Excellence in Secondary Principalship. by *Crawford.

***House Joint Resolution No. 367** -- Memorials, Academic Achievement - Nina Marie Richard, Valedictorian, Rhea County High School. by *Travis.

***House Joint Resolution No. 368** -- Memorials, Academic Achievement - Nicholas Drake Robins, Salutatorian, Rhea County High School. by *Travis.

***House Joint Resolution No. 369** -- Memorials, Academic Achievement - David Mills, Salutatorian, Bledsoe County High School. by *Travis.

***House Joint Resolution No. 370** -- Memorials, Academic Achievement - Keslin Moore, Valedictorian, Bledsoe County High School. by *Travis.

***House Joint Resolution No. 371** -- Memorials, Public Service - Mayor Danny Jowers. by *Sanderson.

***House Joint Resolution No. 372** -- Memorials, Public Service - Sue Jackson. by *Sanderson.

***House Joint Resolution No. 373** -- Memorials, Recognition - Tom Bock. by *Sanderson.

***House Joint Resolution No. 374** -- Memorials, Recognition - Jason Kemp. by *Holt.

***House Joint Resolution No. 375** -- Memorials, Recognition - National Healthy Schools Day 2019. by *Whitson.

***House Joint Resolution No. 376** -- Memorials, Recognition - Roberts Tabernacle of Westmoreland. by *Lamberth.

***House Joint Resolution No. 377** -- Memorials, Death - Monroe James "M.J." Edwards, Sr. by *Hardaway, *Towns, *Parkinson, *Miller, *Thompson, *DeBerry, *Coley, *Cooper, *White, *Leatherwood, *Vaughan, *Camper.

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Joint Resolution No. 323** -- Memorials, Heroism - Hospitalman Third Class Gary L. Barnes, U.S Navy. by *Stevens.

***Senate Joint Resolution No. 324** -- Memorials, Death - Don Clifft. by *Gresham.

***Senate Joint Resolution No. 325** -- Memorials, Retirement - Dr. Glen Farr. by *McNally, *Swann, *Haile, *Reeves.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Wright, Zachary, Mr. Speaker Casada--90

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 266** -- Criminal Procedure - As introduced, requires a court to automatically dismiss a misdemeanor charge if a final verdict has not been rendered within three years of the offense and the defendant is not charged with any subsequent offenses during the three-year period; requires the automatic expunction of a nonviolent misdemeanor charge or conviction if the defendant is not charged with any subsequent offenses within three years of the initial charge. - Amends TCA Title 40. by *Shaw, *Jernigan, *Love, *Powell, *Clemmons, *Hardaway. (SB778 by *Yarbro)

Rep. Shaw moved that House Bill No. 266 be passed on third and final consideration.

Rep. Van Huss moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

AMEND House Bill No. 266 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-302, is amended by adding the following language as a new subsection:

(j) A judge shall, at the time of sentencing, notify a person convicted of a misdemeanor offense that is eligible for expunction of:

(1) The person's eligibility to have all public records of the conviction destroyed in the manner set forth in § 40-32-101; and

(2) The time period after which the person can petition for expunction of the offense.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Shaw moved that **House Bill No. 266**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Van Huss, Weaver, White, Whitson, Wright, Zachary, Mr. Speaker Casada--87

A motion to reconsider was tabled.

House Bill No. 539 -- Employees, Employers - As introduced, requires the consideration of the 20-factor test in IRS Revenue Ruling 87-41 to determine whether an employer-employee relationship exists in certain employment arrangements. - Amends TCA Title 50. by *Howell. (*SB466 by *Roberts)

Rep. Howell moved that House Bill No. 539 be passed on third and final consideration.

Rep. Boyd moved adoption of Consumer and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 539 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-2-111, is amended by deleting the section and substituting instead the following:

(a) This chapter only applies to an individual if the individual performs services for an employer for wages and the services performed by the individual qualify as an employer-employee relationship with the employer based upon consideration of the following twenty (20) factors as described in the twenty-factor test of Internal Revenue Service Revenue Ruling 87-41, 1987-1 C.B. 296:

(1) **Instructions.** A worker who is required to comply with other persons' instructions about when, where, and how the worker is to work is ordinarily an employee. This control factor is present if the person or persons for whom the services are performed have the right to require compliance with instructions;

(2) **Training.** Training a worker by requiring an experienced employee to work with the worker, by corresponding with the worker, by requiring the worker to attend meetings, or by using other methods indicates that the person or persons for whom the services are performed want the services performed in a particular method or manner;

(3) **Integration.** Integration of the worker's services into the business operations generally shows that the worker is subject to direction and control. When the success or continuation of a business depends to an appreciable degree upon the performance of certain services, the workers who perform those services must necessarily be subject to a certain amount of control by the owner of the business;

(4) **Services rendered personally.** If the services must be rendered personally, then presumably the persons for whom the services are performed are interested in the methods used to accomplish the work as well as in the results;

(5) **Hiring, supervising, and paying assistants.** If the person or persons for whom the services are performed hire, supervise, and pay assistants, then that factor generally shows control over the workers on the job. However, if one (1) worker hires, supervises, and pays the other assistants pursuant to a contract under which the worker agrees to provide materials and labor and under which the worker is responsible only for the attainment of a result, then this factor indicates an independent contractor status;

(6) **Continuing relationship.** A continuing relationship between the worker and the person or persons for whom the services are

performed indicates that an employer-employee relationship exists. A continuing relationship may exist where work is performed at frequently recurring although irregular intervals;

(7) **Set hours of work.** The establishment of set hours of work by the person or persons for whom the services are performed is a factor indicating control;

(8) **Full time required.** If the worker must devote substantially full time to the business of the person or persons for whom the services are performed, then the person or persons have control over the amount of time the worker spends working and impliedly restrict the worker from doing other gainful work. An independent contractor is free to work when and for whom the independent contractor chooses;

(9) **Doing work on employer's premises.** If the work is performed on the premises of the person or persons for whom the services are performed, then that factor suggests control over the worker, especially if the work could be done elsewhere. Work done off the premises of the person or persons receiving the services, such as at the office of the worker, indicates some freedom from control. However, this fact by itself does not mean that the worker is not an employee. The importance of this factor depends on the nature of the service involved and the extent to which an employer generally would require that employees perform those services on the employer's premises. Control over the place of work is indicated when the person or persons for whom the services are performed have the right to compel the worker to travel a designated route, to canvass territory within a certain time, or to work at specific places as required;

(10) **Order or sequence set.** If a worker must perform services in the order or sequence set by the person or persons for whom the services are performed, then that factor shows that the worker is not free to follow the worker's own pattern of work but instead must follow the established routines and schedules of the person or persons for whom the services are performed. Often, because of the nature of an occupation, the person or persons for whom the services are performed do not set the order of the services or set the order infrequently. It is sufficient to show control, however, if the person or persons retain the right to do so;

(11) **Oral or written reports.** A requirement that the worker submit regular or written reports to the person or persons for whom the services are performed indicates a degree of control;

(12) **Payment by hour, week, month.** Payment by the hour, week, or month generally points to an employer-employee relationship; provided, that this method of payment is not just a convenient way of paying a lump sum agreed upon as the cost of a job. Payment made by

the job or on straight commission generally indicates the worker is an independent contractor;

(13) **Payment of business or traveling expenses.** If the person or persons for whom the services are performed ordinarily pay the worker's business or traveling expenses, then the worker is ordinarily an employee. An employer, to be able to control expenses, generally retains the right to regulate and direct the worker's business activities;

(14) **Furnishing of tools and materials.** The fact that the person or persons for whom the services are performed furnish significant tools, materials, and other equipment tends to show the existence of an employer-employee relationship;

(15) **Significant investment.** If the worker invests in facilities that are used by the worker in performing services and are not typically maintained by employees, such as the maintenance of an office rented at fair value from an unrelated party, then that factor tends to indicate that the worker is an independent contractor. However, lack of investment in facilities indicates dependence on the person or persons for whom the services are performed for the facilities and the existence of an employer-employee relationship;

(16) **Realization of profit or loss.** A worker who can realize a profit or suffer a loss as a result of the worker's services, in addition to the profit or loss ordinarily realized by employees, is generally an independent contractor but the worker who cannot is an employee. For example, if the worker is subject to a real risk of economic loss due to significant investments or a bona fide liability for expenses, such as salary payments to unrelated employees, then that factor indicates that the worker is an independent contractor. The risk that a worker will not receive payment for the worker's services is common to both independent contractors and employees and does not constitute sufficient economic risk to support treatment as an independent contractor;

(17) **Working for more than one firm at a time.** If a worker performs more than de minimis services for multiple unrelated persons or firms at the same time, then that factor generally indicates that the worker is an independent contractor. However, a worker who performs services for more than one (1) person may be an employee of each of the persons, especially where such persons are part of the same service arrangement;

(18) **Making service available to general public.** The fact that a worker makes the worker's services available to the general public on a regular and consistent basis indicates an independent contractor relationship;

(19) **Right to discharge.** The right to discharge a worker is a factor indicating that the worker is an employee and the person possessing the right is an employer. An employer exercises control through the threat of dismissal, which causes the worker to obey the employer's instructions. An independent contractor cannot be fired so long as the independent contractor produces a result that meets the contract specifications; and

(20) **Right to terminate.** If the worker has the right to end the worker's relationship with the person for whom the services are performed at any time the worker wishes without incurring liability, then that factor indicates an employer-employee relationship.

(b) Notwithstanding subsection (a), this chapter does not apply to an individual who provides services as a leased-operator or an owner-operator of a motor vehicle or vehicles under contract to a common carrier doing an interstate business while engaged in interstate commerce regardless of whether the common law relationship of master and servant exists.

SECTION 2. Tennessee Code Annotated, Section 50-3-103, is amended by deleting subdivision (7) and substituting instead the following:

(7) "Employee":

(A) Means an individual who performs services for an employer for wages under a contract of hire if the services performed by the individual qualify as an employer-employee relationship with the employer based upon consideration of the following twenty (20) factors as described in the twenty-factor test of Internal Revenue Service Revenue Ruling 87-41, 1987-1 C.B. 296:

(i) **Instructions.** A worker who is required to comply with other persons' instructions about when, where, and how the worker is to work is ordinarily an employee. This control factor is present if the person or persons for whom the services are performed have the right to require compliance with instructions;

(ii) **Training.** Training a worker by requiring an experienced employee to work with the worker, by corresponding with the worker, by requiring the worker to attend meetings, or by using other methods indicates that the person or persons for whom the services are performed want the services performed in a particular method or manner;

(iii) **Integration.** Integration of the worker's services into the business operations generally shows that the worker is subject to direction and control. When the success or continuation of a business depends to an appreciable degree upon the performance of certain services, the workers who perform those services must necessarily be subject to a certain amount of control by the owner of the business;

(iv) **Services rendered personally.** If the services must be rendered personally, then presumably the persons for whom the services are performed are interested in the methods used to accomplish the work as well as in the results;

(v) **Hiring, supervising, and paying assistants.** If the person or persons for whom the services are performed hire, supervise, and pay assistants, then that factor generally shows control over the workers on the job. However, if one (1) worker hires, supervises, and pays the other assistants pursuant to a contract under which the worker agrees to provide materials and labor and under which the worker is responsible only for the attainment of a result, then this factor indicates an independent contractor status;

(vi) **Continuing relationship.** A continuing relationship between the worker and the person or persons for whom the services are performed indicates that an employer-employee relationship exists. A continuing relationship may exist where work is performed at frequently recurring although irregular intervals;

(vii) **Set hours of work.** The establishment of set hours of work by the person or persons for whom the services are performed is a factor indicating control;

(viii) **Full time required.** If the worker must devote substantially full time to the business of the person or persons for whom the services are performed, then the person or persons have control over the amount of time the worker spends working and impliedly restrict the worker from doing other gainful work. An independent contractor is free to work when and for whom the independent contractor chooses;

(ix) **Doing work on employer's premises.** If the work is performed on the premises of the person or persons for whom the services are performed, then that factor suggests control over the worker, especially if the work could be done elsewhere. Work done off the premises of the person or persons receiving the services, such as at the office of the worker, indicates some freedom from control. However, this fact by itself does not mean that the worker is not an employee. The importance of this factor depends on the nature of the service involved and the extent to which an employer generally would require that employees perform those services on the employer's premises. Control over the place of work is indicated when the person or persons for whom the services are performed have the right to compel the worker to travel a designated route, to canvass territory within a certain time, or to work at specific places as required;

(x) **Order or sequence set.** If a worker must perform services in the order or sequence set by the person or persons for whom the services are performed, then that factor shows that the worker is not free

to follow the worker's own pattern of work but instead must follow the established routines and schedules of the person or persons for whom the services are performed. Often, because of the nature of an occupation, the person or persons for whom the services are performed do not set the order of the services or set the order infrequently. It is sufficient to show control, however, if the person or persons retain the right to do so;

(xi) **Oral or written reports.** A requirement that the worker submit regular or written reports to the person or persons for whom the services are performed indicates a degree of control;

(xii) **Payment by hour, week, month.** Payment by the hour, week, or month generally points to an employer-employee relationship; provided, that this method of payment is not just a convenient way of paying a lump sum agreed upon as the cost of a job. Payment made by the job or on straight commission generally indicates the worker is an independent contractor;

(xiii) **Payment of business or traveling expenses.** If the person or persons for whom the services are performed ordinarily pay the worker's business or traveling expenses, then the worker is ordinarily an employee. An employer, to be able to control expenses, generally retains the right to regulate and direct the worker's business activities;

(xiv) **Furnishing of tools and materials.** The fact that the person or persons for whom the services are performed furnish significant tools, materials, and other equipment tends to show the existence of an employer-employee relationship;

(xv) **Significant investment.** If the worker invests in facilities that are used by the worker in performing services and are not typically maintained by employees, such as the maintenance of an office rented at fair value from an unrelated party, then that factor tends to indicate that the worker is an independent contractor. However, lack of investment in facilities indicates dependence on the person or persons for whom the services are performed for the facilities and the existence of an employer-employee relationship;

(xvi) **Realization of profit or loss.** A worker who can realize a profit or suffer a loss as a result of the worker's services, in addition to the profit or loss ordinarily realized by employees, is generally an independent contractor but the worker who cannot is an employee. For example, if the worker is subject to a real risk of economic loss due to significant investments or a bona fide liability for expenses, such as salary payments to unrelated employees, then that factor indicates that the worker is an independent contractor. The risk that a worker will not receive payment for the worker's services is common to both independent

contractors and employees and does not constitute sufficient economic risk to support treatment as an independent contractor;

(xvii) **Working for more than one firm at a time.** If a worker performs more than de minimis services for multiple unrelated persons or firms at the same time, then that factor generally indicates that the worker is an independent contractor. However, a worker who performs services for more than one (1) person may be an employee of each of the persons, especially where such persons are part of the same service arrangement;

(xviii) **Making service available to general public.** The fact that a worker makes the worker's services available to the general public on a regular and consistent basis indicates an independent contractor relationship;

(xix) **Right to discharge.** The right to discharge a worker is a factor indicating that the worker is an employee and the person possessing the right is an employer. An employer exercises control through the threat of dismissal, which causes the worker to obey the employer's instructions. An independent contractor cannot be fired so long as the independent contractor produces a result that meets the contract specifications; and

(xx) **Right to terminate.** If the worker has the right to end the worker's relationship with the person for whom the services are performed at any time the worker wishes without incurring liability, then that factor indicates an employer-employee relationship; and

(B) Includes minors, whether lawfully or unlawfully employed; persons in executive positions; and county, metropolitan, and municipal government employees;

SECTION 3. Tennessee Code Annotated, Section 50-7-207, is amended by deleting subdivision (b)(2)(B) and substituting instead the following:

(B) Any individual who performs services for an employer for wages if the services are performed by the individual qualify as an employer-employee relationship with the employer based upon consideration of the following twenty (20) factors as described in the twenty-factor test of Internal Revenue Service Revenue Ruling 87-41, 1987-1 C.B. 296:

(i) **Instructions.** A worker who is required to comply with other persons' instructions about when, where, and how the worker is to work is ordinarily an employee. This control factor is present if the person or persons for whom the services are performed have the right to require compliance with instructions;

(ii) **Training.** Training a worker by requiring an experienced employee to work with the worker, by corresponding with the worker, by requiring the worker to attend meetings, or by using other methods indicates that the person or persons for whom the services are performed want the services performed in a particular method or manner;

(iii) **Integration.** Integration of the worker's services into the business operations generally shows that the worker is subject to direction and control. When the success or continuation of a business depends to an appreciable degree upon the performance of certain services, the workers who perform those services must necessarily be subject to a certain amount of control by the owner of the business;

(iv) **Services rendered personally.** If the services must be rendered personally, then presumably the persons for whom the services are performed are interested in the methods used to accomplish the work as well as in the results;

(v) **Hiring, supervising, and paying assistants.** If the person or persons for whom the services are performed hire, supervise, and pay assistants, then that factor generally shows control over the workers on the job. However, if one (1) worker hires, supervises, and pays the other assistants pursuant to a contract under which the worker agrees to provide materials and labor and under which the worker is responsible only for the attainment of a result, then this factor indicates an independent contractor status;

(vi) **Continuing relationship.** A continuing relationship between the worker and the person or persons for whom the services are performed indicates that an employer-employee relationship exists. A continuing relationship may exist where work is performed at frequently recurring although irregular intervals;

(vii) **Set hours of work.** The establishment of set hours of work by the person or persons for whom the services are performed is a factor indicating control;

(viii) **Full time required.** If the worker must devote substantially full time to the business of the person or persons for whom the services are performed, then the person or persons have control over the amount of time the worker spends working and impliedly restrict the worker from doing other gainful work. An independent contractor is free to work when and for whom the independent contractor chooses;

(ix) **Doing work on employer's premises.** If the work is performed on the premises of the person or persons for whom the services are performed, then that factor suggests control over the worker, especially if the work could be done elsewhere. Work done off the premises of the person or persons receiving the services, such as at the

office of the worker, indicates some freedom from control. However, this fact by itself does not mean that the worker is not an employee. The importance of this factor depends on the nature of the service involved and the extent to which an employer generally would require that employees perform those services on the employer's premises. Control over the place of work is indicated when the person or persons for whom the services are performed have the right to compel the worker to travel a designated route, to canvass territory within a certain time, or to work at specific places as required;

(x) **Order or sequence set.** If a worker must perform services in the order or sequence set by the person or persons for whom the services are performed, then that factor shows that the worker is not free to follow the worker's own pattern of work but instead must follow the established routines and schedules of the person or persons for whom the services are performed. Often, because of the nature of an occupation, the person or persons for whom the services are performed do not set the order of the services or set the order infrequently. It is sufficient to show control, however, if the person or persons retain the right to do so;

(xi) **Oral or written reports.** A requirement that the worker submit regular or written reports to the person or persons for whom the services are performed indicates a degree of control;

(xii) **Payment by hour, week, month.** Payment by the hour, week, or month generally points to an employer-employee relationship; provided, that this method of payment is not just a convenient way of paying a lump sum agreed upon as the cost of a job. Payment made by the job or on straight commission generally indicates the worker is an independent contractor;

(xiii) **Payment of business or traveling expenses.** If the person or persons for whom the services are performed ordinarily pay the worker's business or traveling expenses, then the worker is ordinarily an employee. An employer, to be able to control expenses, generally retains the right to regulate and direct the worker's business activities;

(xiv) **Furnishing of tools and materials.** The fact that the person or persons for whom the services are performed furnish significant tools, materials, and other equipment tends to show the existence of an employer-employee relationship;

(xv) **Significant investment.** If the worker invests in facilities that are used by the worker in performing services and are not typically maintained by employees, such as the maintenance of an office rented at fair value from an unrelated party, then that factor tends to indicate that the worker is an independent contractor. However, lack of investment in facilities indicates dependence on the person or persons for whom the

services are performed for the facilities and the existence of an employer-employee relationship;

(xvi) **Realization of profit or loss.** A worker who can realize a profit or suffer a loss as a result of the worker's services, in addition to the profit or loss ordinarily realized by employees, is generally an independent contractor but the worker who cannot is an employee. For example, if the worker is subject to a real risk of economic loss due to significant investments or a bona fide liability for expenses, such as salary payments to unrelated employees, then that factor indicates that the worker is an independent contractor. The risk that a worker will not receive payment for the worker's services is common to both independent contractors and employees and does not constitute sufficient economic risk to support treatment as an independent contractor;

(xvii) **Working for more than one firm at a time.** If a worker performs more than de minimis services for multiple unrelated persons or firms at the same time, then that factor generally indicates that the worker is an independent contractor. However, a worker who performs services for more than one (1) person may be an employee of each of the persons, especially where such persons are part of the same service arrangement;

(xviii) **Making service available to general public.** The fact that a worker makes the worker's services available to the general public on a regular and consistent basis indicates an independent contractor relationship;

(xix) **Right to discharge.** The right to discharge a worker is a factor indicating that the worker is an employee and the person possessing the right is an employer. An employer exercises control through the threat of dismissal, which causes the worker to obey the employer's instructions. An independent contractor cannot be fired so long as the independent contractor produces a result that meets the contract specifications; and

(xx) **Right to terminate.** If the worker has the right to end the worker's relationship with the person for whom the services are performed at any time the worker wishes without incurring liability, then that factor indicates an employer-employee relationship;

SECTION 4. Tennessee Code Annotated, Section 50-7-207(e), is amended by deleting subdivisions (1)-(3) and substituting instead the following:

(1) Services performed by an individual who provides services as a leased-operator or an owner-operator of a motor vehicle or vehicles under contract to a common carrier conducting an interstate business while engaged in interstate commerce are deemed to be an excluded service for the purposes of this section, regardless of whether the common law relationship of master and

servant exists. However, this subdivision (e)(1) does not apply to services performed under subdivision (b)(3) or (b)(4); and

(2) It is the legislative intent that no elected official is eligible for benefits based upon service as an elected official.

SECTION 5. Tennessee Code Annotated, Section 50-9-103, is amended by deleting subdivision (9) and substituting instead the following:

(9) "Employee" means any individual who performs services for a covered employer for wages if the services performed by the individual qualify as an employer-employee relationship with the employer based upon consideration of the following twenty (20) factors as described in the twenty-factor test of Internal Revenue Service Revenue Ruling 87-41, 1987-1 C.B. 296:

(A) **Instructions.** A worker who is required to comply with other persons' instructions about when, where, and how the worker is to work is ordinarily an employee. This control factor is present if the person or persons for whom the services are performed have the right to require compliance with instructions;

(B) **Training.** Training a worker by requiring an experienced employee to work with the worker, by corresponding with the worker, by requiring the worker to attend meetings, or by using other methods indicates that the person or persons for whom the services are performed want the services performed in a particular method or manner;

(C) **Integration.** Integration of the worker's services into the business operations generally shows that the worker is subject to direction and control. When the success or continuation of a business depends to an appreciable degree upon the performance of certain services, the workers who perform those services must necessarily be subject to a certain amount of control by the owner of the business;

(D) **Services rendered personally.** If the services must be rendered personally, then presumably the persons for whom the services are performed are interested in the methods used to accomplish the work as well as in the results;

(E) **Hiring, supervising, and paying assistants.** If the person or persons for whom the services are performed hire, supervise, and pay assistants, then that factor generally shows control over the workers on the job. However, if one (1) worker hires, supervises, and pays the other assistants pursuant to a contract under which the worker agrees to provide materials and labor and under which the worker is responsible only for the attainment of a result, then this factor indicates an independent contractor status;

(F) **Continuing relationship.** A continuing relationship between the worker and the person or persons for whom the services are performed indicates that an employer-employee relationship exists. A continuing relationship may exist where work is performed at frequently recurring although irregular intervals;

(G) **Set hours of work.** The establishment of set hours of work by the person or persons for whom the services are performed is a factor indicating control;

(H) **Full time required.** If the worker must devote substantially full time to the business of the person or persons for whom the services are performed, then the person or persons have control over the amount of time the worker spends working and impliedly restrict the worker from doing other gainful work. An independent contractor is free to work when and for whom the independent contractor chooses;

(I) **Doing work on employer's premises.** If the work is performed on the premises of the person or persons for whom the services are performed, then that factor suggests control over the worker, especially if the work could be done elsewhere. Work done off the premises of the person or persons receiving the services, such as at the office of the worker, indicates some freedom from control. However, this fact by itself does not mean that the worker is not an employee. The importance of this factor depends on the nature of the service involved and the extent to which an employer generally would require that employees perform those services on the employer's premises. Control over the place of work is indicated when the person or persons for whom the services are performed have the right to compel the worker to travel a designated route, to canvass territory within a certain time, or to work at specific places as required;

(J) **Order or sequence set.** If a worker must perform services in the order or sequence set by the person or persons for whom the services are performed, then that factor shows that the worker is not free to follow the worker's own pattern of work but instead must follow the established routines and schedules of the person or persons for whom the services are performed. Often, because of the nature of an occupation, the person or persons for whom the services are performed do not set the order of the services or set the order infrequently. It is sufficient to show control, however, if the person or persons retain the right to do so;

(K) **Oral or written reports.** A requirement that the worker submit regular or written reports to the person or persons for whom the services are performed indicates a degree of control;

(L) **Payment by hour, week, month.** Payment by the hour, week, or month generally points to an employer-employee relationship;

provided, that this method of payment is not just a convenient way of paying a lump sum agreed upon as the cost of a job. Payment made by the job or on straight commission generally indicates the worker is an independent contractor;

(M) **Payment of business or traveling expenses.** If the person or persons for whom the services are performed ordinarily pay the worker's business or traveling expenses, then the worker is ordinarily an employee. An employer, to be able to control expenses, generally retains the right to regulate and direct the worker's business activities;

(N) **Furnishing of tools and materials.** The fact that the person or persons for whom the services are performed furnish significant tools, materials, and other equipment tends to show the existence of an employer-employee relationship;

(O) **Significant investment.** If the worker invests in facilities that are used by the worker in performing services and are not typically maintained by employees, such as the maintenance of an office rented at fair value from an unrelated party, then that factor tends to indicate that the worker is an independent contractor. However, lack of investment in facilities indicates dependence on the person or persons for whom the services are performed for the facilities and the existence of an employer-employee relationship;

(P) **Realization of profit or loss.** A worker who can realize a profit or suffer a loss as a result of the worker's services, in addition to the profit or loss ordinarily realized by employees, is generally an independent contractor but the worker who cannot is an employee. For example, if the worker is subject to a real risk of economic loss due to significant investments or a bona fide liability for expenses, such as salary payments to unrelated employees, then that factor indicates that the worker is an independent contractor. The risk that a worker will not receive payment for the worker's services is common to both independent contractors and employees and does not constitute sufficient economic risk to support treatment as an independent contractor;

(Q) **Working for more than one firm at a time.** If a worker performs more than de minimis services for multiple unrelated persons or firms at the same time, then that factor generally indicates that the worker is an independent contractor. However, a worker who performs services for more than one (1) person may be an employee of each of the persons, especially where such persons are part of the same service arrangement;

(R) **Making service available to general public.** The fact that a worker makes the worker's services available to the general public on a regular and consistent basis indicates an independent contractor relationship;

(S) **Right to discharge.** The right to discharge a worker is a factor indicating that the worker is an employee and the person possessing the right is an employer. An employer exercises control through the threat of dismissal, which causes the worker to obey the employer's instructions. An independent contractor cannot be fired so long as the independent contractor produces a result that meets the contract specifications; and

(T) **Right to terminate.** If the worker has the right to end the worker's relationship with the person for whom the services are performed at any time the worker wishes without incurring liability, then that factor indicates an employer-employee relationship;

SECTION 6. This act shall take effect January 1, 2020, the public welfare requiring it, and applies only to actions occurring on or after that date.

On motion, Consumer and Human Resources Committee Amendment No. 1 was adopted.

Rep. Howell moved that **House Bill No. 539**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Wright, Zachary, Mr. Speaker Casada--87

A motion to reconsider was tabled.

***House Bill No. 203** -- Comptroller, State - As introduced, authorizes the comptroller of the treasury to audit private probation service providers; allows the comptroller to appoint a certified public accountant to conduct the audit; requires the probation service provider to pay for the audit. - Amends TCA Section 40-35-302. by *Crawford, *Ragan, *Hardaway, *Hazlewood, *Whitson. (SB293 by *Kelsey)

On motion, House Bill No. 203 was made to conform with **Senate Bill No. 293**; the Senate Bill was substituted for the House Bill.

Rep. Crawford moved that Senate Bill No. 293 be passed on third and final consideration.

Rep. Eldridge moved adoption of State Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 293 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-302, is amended by deleting subdivision (g)(1)(A)(iv), and substituting instead:

(iv) Maintain documentation on all misdemeanor defendants sentenced to be supervised by the entity. All books, records, and documentation maintained by the entity relating to work performed or money received for the supervision of misdemeanor defendants so sentenced must be maintained for a period of three (3) full years from the date of the final payment or audit. The books, records, and documentation are subject to a fiscal and performance audit and review at any reasonable time and upon reasonable notice by the court or courts in which the entity operates, or by their duly appointed representatives, and by the comptroller of the treasury as deemed necessary or appropriate. The comptroller of the treasury may appoint a certified public accountant to prepare the audit. The entity being audited by either the comptroller of the treasury or the comptroller's designee shall pay the cost of the audit. Officials of the entity shall cooperate fully with the comptroller of the treasury or its designee in the performance of the audit; and

SECTION 2. Tennessee Code Annotated, Section 40-35-302(g)(2), is amended by deleting the language "Subdivision (g)(1)" and substituting instead the language "Except for fiscal and performance audits and reviews conducted by the comptroller of the treasury or the comptroller's designee in accordance with subdivision (g)(1)(A)(iv), subdivision (g)(1)".

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Committee Amendment No. 1 was adopted.

Rep. Crawford moved that **Senate Bill No. 293**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers,

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Wright, Zachary, Mr. Speaker Casada--88

A motion to reconsider was tabled.

House Bill No. 912 -- State Symbols - As introduced, designates the poem "My Tennessee," written by Michael McDonald in 1984, as an official state poem of Tennessee. - Amends TCA Section 4-1-303. by *Keisling, *White. (*SB473 by *Haile)

Rep. Lamberth moved that **House Bill No. 912** be reset for the next available Regular Calendar, which motion prevailed.

House Bill No. 1182 -- Debt Adjustors and Bill Collectors - As introduced, enacts the "Debt Resolution Services Act." - Amends TCA Title 47. by *Keisling. (*SB1013 by *Johnson)

Rep. Lamberth moved that **House Bill No. 1182** be reset for the next available Regular Calendar, which motion prevailed.

***House Bill No. 838** -- Sexual Offenders - As introduced, adds conviction of a new sexual offense, violent sexual offense, or violent juvenile sexual offense as violation of the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004. - Amends TCA Title 40, Chapter 39. by *Russell, *Moon, *Hazlewood, *Terry, *Hardaway, *Ogles, *Hurt, *White, *Littleton. (SB1134 by *Swann)

Rep. Russell moved that **House Bill No. 838** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Wright, Zachary, Mr. Speaker Casada--89

A motion to reconsider was tabled.

***House Bill No. 1033** -- Gambling - As introduced, decriminalizes, under certain circumstances, wagers on fantasy sports leagues and sports pools. - Amends TCA Title 39, Chapter 13, Part 1 and Title 39, Chapter 17, Part 5. by *Terry, *Zachary, *White, *Hardaway. (SB1057 by *Dickerson)

On motion, House Bill No. 1033 was made to conform with **Senate Bill No. 1057**; the Senate Bill was substituted for the House Bill.

Rep. Terry moved that **Senate Bill No. 1057** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	67
Noes.....	16
Present and not voting.....	4

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Carr, Carter, Chism, Clemmons, Cochran, Coley, Dixie, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Hakeem, Halford, Hall, Hardaway, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Leatherwood, Littleton, Love, Marsh, Miller, Mitchell, Parkinson, Potts, Powell, Ragan, Ramsey, Rudder, Russell, Sanderson, Sexton C, Shaw, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White, Whitson, Wright, Zachary, Mr. Speaker Casada--67

Representatives voting no were: Calfee, Crawford, DeBerry, Doggett, Dunn, Haston, Hawk, Holt, Hulsey, Lamberth, Lynn, Moody, Moon, Rudd, Sexton J, Todd--16

Representatives present and not voting were: Cepicky, Cooper, Ogles, Powers--4

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 1057** and have this statement entered in the Journal: Rep. Sparks.

REGULAR CALENDAR, CONTINUED

***House Joint Resolution No. 347** -- Memorials, Public Service - President Trump, U.S.-Mexico-Canada Agreement. by *Hill T.

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Further consideration of House Joint Resolution No. 347, previously considered on the Consent Calendar for March 25, 2019, at which time it was objected to and reset for today's Regular Calendar.

Rep. T. Hill moved that **House Joint Resolution No. 347** be reset for the next available space on the next available Regular Calendar, which motion prevailed.

***House Bill No. 1080** -- Taxes, Excise - As introduced, redefines "passive investment income" for family-owned noncorporate entities to include rents from commercial property for entities who qualified as an obligated member entity as of January 1, 2019. - Amends TCA Section 67-4-2008. by *Rudd. (SB1198 by *White)

Further consideration of House Bill No. 1080, previously considered on March 25, 2019, at which time it was reset for today's Regular Calendar.

BILL HELD ON DESK

Rep. Rudd moved that **House Bill No. 1080** be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 843** -- Drugs, Prescription - As introduced, makes various changes concerning the prescription of certain Scheduled controlled substances. - Amends TCA Title 53, Chapter 10, Part 3; Title 63, Chapter 1, Part 1 and Title 63, Chapter 1, Part 4. by *Sexton C, *Gant, *Terry, *Smith, *Kumar, *Vaughan, *Casada, *Jernigan, *Leatherwood, *Helton, *Williams, *Ragan, *Ogles, *Hazlewood. (SB810 by *Reeves, *Briggs, *Hensley, *Haile)

Further consideration of House Bill No. 843, previously considered on March 14, 2019 and March 25, 2019, at which time it was reset for today's Regular Calendar.

On motion, House Bill No. 843 was made to conform with **Senate Bill No. 810**; the Senate Bill was substituted for the House Bill.

Rep. C. Sexton moved that Senate Bill No. 810 be passed on third and final consideration.

Rep. Terry moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. C. Sexton moved that **Senate Bill No. 810** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 0

**THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sparks, Staples, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Wright, Zachary, Mr. Speaker Casada--88

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Farmer moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 219 out of order.

BILLS WITHDRAWN

On motion of Rep. Hakeem, **House Bill No. 890** was recalled from the Local Committee and withdrawn from the House.

RULES SUSPENDED

Rep. Farmer moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 219 out of order, which motion prevailed.

***House Joint Resolution No. 219** -- General Assembly, Confirmation of Appointment - James H. Ripley, Tennessee Fish and Wildlife Commission. by *Casada, *Farmer, *Carr.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion, Senate Joint Resolution No. 269 was substituted for House Joint Resolution No. 219.

Rep. Farmer moved that the House concur in **Senate Joint Resolution No. 269**, which motion prevailed by the following vote:

Ayes 89
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Lamberth,

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Wright, Zachary, Mr. Speaker Casada--89

A motion to reconsider was tabled.

MOTION TO PLACE BILL ON CALENDAR

Rep. Lamberth moved that **House Bill No. 983** be placed on the Elections Subcommittee calendar next week, which motion prevailed.

MOTION TO PLACE BILL ON CALENDAR

Rep. Lamberth moved that **House Bills Nos. 650, 720 and 1010** be placed on the Life and Health Insurance Subcommittee calendar next week, which motion prevailed.

MOTION TO PLACE BILL ON CALENDAR

Rep. Lamberth moved that **House Bill No. 1384** be placed on the Curriculum, Testing and Innovation Subcommittee calendar next week, which motion prevailed.

MOTION TO PLACE BILL ON CALENDAR

Rep. Lamberth moved that **House Bills Nos. 1453 and 881** be placed on the Criminal Justice Subcommittee calendar next week, which motion prevailed.

MOTION TO PLACE BILL ON CALENDAR

Rep. Lamberth moved that **House Bill No. 605** be placed on the Finance, Ways & Means Subcommittee calendar next week, which motion prevailed.

MOTION TO PLACE BILL ON CALENDAR

Rep. Lamberth moved that **House Joint Resolutions Nos. 85, 87, 91 and 205** be placed on the Education Committee calendar next week, which motion prevailed.

MOTION TO PLACE BILL ON CALENDAR

Rep. Lamberth moved that **House Bill No. 518** be placed on the Government Operations Committee calendar next week, which motion prevailed.

1000

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MOTION TO PLACE BILL ON CALENDAR

Rep. Lamberth moved that **House Bill No. 1100** be placed on the Higher Education Subcommittee calendar next week, which motion prevailed.

BILL RE-REFERRED
March 26, 2019

Pursuant to Rule No. **83(2)**, the following bills, having been returned to the Clerk's desk, was re-referred to the following Committee by the Speaker:

House Bill No. 810 -- Medical Occupations -- House Health Committee

BILL RE-REFERRED
March 27, 2019

Pursuant to Rule No. **83(2)**, the following bills, having been returned to the Clerk's desk, was re-referred to the following Committee by the Speaker:

House Bill No. 413 -- Public Records -- House State Committee

House Bill No. 772 -- Alcohol Offenses, Motor Vehicles -- House Judiciary Committee

House Bill No. 988 -- Children's Services, Dept. of -- House Judiciary Committee

House Bill No. 1224 -- Domestic Violence -- House Judiciary Committee

House Bill No. 1348 -- Expunction -- House Judiciary Committee

House Bill No. 1470 -- Health, Dept. of -- House Health Committee

House Bill No. 1482 -- Comptroller, State -- House State Committee

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 17 Rep. DeBerry as prime sponsor.

House Joint Resolution No. 347 Rep. Ragan as prime sponsor.

House Bill No. 84 Rep. White as prime sponsor.

House Bill No. 97 Rep. White as prime sponsor.

House Bill No. 149 Rep. White as prime sponsor.

House Bill No. 213 Rep. White as prime sponsor.

House Bill No. 229 Reps. Griffey and Weaver as prime sponsors.

House Bill No. 536 Reps. White, Hazlewood and Tillis as prime sponsors.

House Bill No. 564 Rep. White as prime sponsor.

House Bill No. 571 Rep. Lamberth as prime sponsor.

House Bill No. 833 Rep. White as prime sponsor.

House Bill No. 909 Reps. Sherrell, Towns, Parkinson, Faison, Lamberth, Curcio, Garrett, Eldridge, Beck, Camper, Howell, Carter, C. Johnson, Mitchell, Potts, Sanderson, Littleton, Hulse and Van Huss as prime sponsors.

House Bill No. 923 Rep. Whitson as prime sponsor.

House Bill No. 934 Reps. White and Littleton as prime sponsors.

House Bill No. 973 Rep. White as prime sponsor.

House Bill No. 1029 Reps. Weaver and Russell as prime sponsors.

House Bill No. 1045 Rep. Faison as prime sponsor.

House Bill No. 1168 Rep. Littleton as First prime sponsor.

House Bill No. 1190 Rep. Lamberth as prime sponsor.

House Bill No. 1295 Rep. White as prime sponsor.

House Bill No. 1340 Reps. Ramsey, Lamberth, Faison, Howell, Littleton, Towns, Van Huss, Parkinson, Sanderson, Daniel, Potts, Curcio, Ogles and Farmer as prime sponsors.

SPONSORS REMOVED

On Motion, Rep. Weaver was removed as sponsor of **House Bill No. 1168**.

**MESSAGE FROM THE SENATE
March 28, 2019**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 320; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
March 28, 2019**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No. 320; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
March 28, 2019**

The Speaker announced that he had signed the following: House Joint Resolution No. 320.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 28, 2019**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 320; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
March 28, 2019**

The Speaker announced that he had signed the following: House Bills Nos. 192, 757 and 1292.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 28, 2019**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 269; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED
March 28, 2019

The Speaker announced that he had signed the following: Senate Joint Resolution No. 269.

TAMMY LETZLER, Chief Clerk

REPORT OF CHIEF ENGROSSING CLERK
March 28, 2019

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 310, 311, 312, 313, 314, 315 and 320; for his action.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE GOVERNOR
March 28, 2019

MR. SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 28, 58, 109, 189, 345, 376, 647, 756 and 1241; House Joint Resolutions Nos. 260, 261, 262, 263, 264, 265, 266, 269, 271 and 272; with his approval.

LANG WISEMAN, Deputy and Counsel to the Governor
MESSAGE FROM THE GOVERNOR
March 28, 2019

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution No. 320; with his approval.

LANG WISEMAN, Deputy and Counsel to the Governor

ENROLLED BILLS
March 28, 2019

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution No. 66; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

SIGNED
March 28, 2019

**THURSDAY, MARCH 28, 2019 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

The Speaker announced that he had signed the following: House Resolution No. 66.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
March 28, 2019**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 266, 539 and 838; House Joint Resolutions Nos. 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376 and 377.

GREG GLASS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 90

Representatives present were Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Wright, Zachary, Mr. Speaker Casada -- 90

RECESS

On motion of Rep. Lamberth, the House stood in recess until 5:00 p.m., Monday, April 1, 2019.